

Plumbing and Mechanical Systems Board Meeting
Tuesday April 20, 2010, at 9:00 a.m.
Jesse Parker Building

Page 1 of 6

Board Members Present: Stuart Crine, Thomas Day, Mick Gage, Jane Hagedorn, Ron Masters, Susan Salsman, Ken Sharp, Chuck Thomas, Dennis Molden and Brita Van Horne

Board Members Absent: Carol Crane

Staff Attending: Cindy Houlson, Matt Oetker, Susan Van Horn and Mary Swinehart

Call to Order: Ron Masters called meeting to order at 9:00 a.m.

Approval of Minutes dated March 23, 2010

Motion: Mick Gage made motion to approve minutes

Seconded: Jane Hagedorn seconded

Discussion: No further discussion was held.

Vote: All ayes

Motion: Carried

New Lead Rules – Joelle Stolte, IDPH Lead Bureau

EPA has designated all renovations performed in target housing and child-occupied facilities, except for emergency renovations and minor repair and maintenance activities, shall be performed according to the work practice standards in 641 Iowa Administrative Code - Chapter 70.6(11). EPA refers to it as RRP (Renovation, Removal & Painting). Iowa refers to it as LSR (Lead Safe Renovation). The new rules were adopted January 13, 2010 with required compliance by April 22, 2010.

Question: What about inspectors, can they inspect a site?

Trained inspectors can inspect a site, being sure not to do any work.

Question: Who is responsible to inspect and penalize?

IDPH is the enforcing body.

Question: Can homeowners remove asbestos in their own homes?

If homeowner lives in the property they can remove themselves (can not in a rental)

Question: Plumbing and Mechanical CEU Committee asked if there is a uniform course?

There is one uniform course for all trainers.

Question: If owner hires a plumber and disturbs 1 sq ft. (cumulatively) are they required to be certified?

The plumber or a certified person must be on site.

Anyone looking for more information about this new rule can find information on the Iowa Dept of Public Health website under "lead" in the A-Z index, or by calling the bureau at 1-800-972-2026.

Committee Reports and Recommendations for Actions

Administrative Rules Committee Sue Salsman, committee chair

Sue reported that this committee is diligently working on the practice chapter. During discussions in this committee there were questions to bring before the board regarding contractor licensing:

Plumbing and Mechanical Systems Board Meeting
Tuesday April 20, 2010, at 9:00 a.m.
Jesse Parker Building

Page 2 of 6

To obtain a contractor license does the trade for the master need to be identified?

Does a contractor need to identify a master every trade involved in?

What identification will be used to identify contractor?

When a master is designated for one company can he work for another company (not as designated master)?

Response: Members of the Practice chapter have agreed it is necessary for a contractor to designate a master for each discipline that the contractor practices. The remainder of the discussion is a more of an Apps & Fees issue such as what should an application look like for a contractor, what should be included on the application. Further, how would contractor be identified?

Questions: What entities need a contractor license? What subsidiary needs contractor license? Can a contractor list more than one master? Do we need a rule change to link master licensee to a contractor?

Question: Does IWD number need to be requested on application?

Could be on application, if unable to obtain can contract staff for replacement.

Following a lengthy discussion the following was agreed:

- A master license can be used for only one contractor in a specific trade
- Master holding four licensees can work for four different trades. Identify one master per trade per contractor.
- Each legal entity requires its own contractor license.
- If change (on contractor and master relations or contact information) notification to IDPH needs to be made.

Application and Fees Committee Jane Hagedorn, committee chair

Jane reported that this committee met April 7th to continue review of multiple applications and instructions for the next licensing cycle.

CEU Committee Jane Hagedorn, committee chair

Jane reported that this committee continues to meet the second and fourth Wednesday of each month. There continues to be long lists of instructors and courses for review. Information is being returned to the applicant as quickly as possible. Each application includes a question asking if they would like class listed on the website. This committee has discussed necessary changes for Chapter 30.

29 Committee Ron Masters, committee chair

Ron reported this committee has not met.

Plumbing Code Committee Tom Day, committee chair

Tom reported that the new plumbing code has not been published yet. Cindy commented that as soon as it is published it will be sent out to the list serve. May 11th (11-1) is the Public Hearing for the plumbing code. There are 13 additional sites across the state.

How are the amendments going to be distributed? Tom suggested some type of paste in sheets that could be pasted to the original book. Historically, we have published for the state of Iowa and the text has been placed in our rules. Prometric will allow the IDPH binded rule with amendments book.

Plumbing and Mechanical Systems Board Meeting
Tuesday April 20, 2010, at 9:00 a.m.
Jesse Parker Building

Page 3 of 6

Testing and Credentials Committee Chuck Thomas, committee chair

Chuck reported testing is underway. There have been 65 applicants to take 81 tests. Nine applications have been returned for additional information. Six individuals have taken a test, one passed (journey person refrigeration)

In June renegotiations with Prometric will begin. Exams will be reviewed at that time to incorporate updates such as the 2009 UPC with amendments.

Reciprocity Committee Ron Master, committee chair

Ron reported that this committee met on April 12th. We have been approached by South Dakota to consider reciprocity. Committee would like to receive full board guidance on parameters on how to measure equivalency in other state licensing programs. There are two requirements for reciprocity – similar licensing requirements and grant Iowa licensees the same privileges as South Dakota licensees. Don't feel the entire board has had an opportunity to review the reciprocity concept, whether this is something the board should be exploring.

It was agreed that at this time the Iowa board should not explore reciprocity. More information on reciprocity needs to be discussed before we are ready to approve reciprocity agreements.

Inspections Study Committee – Ron Masters, committee chair

Ron yielded to Ken for report as he was unable to attend the introductory meeting.

Ken reported the introductory meeting was held last Friday. There were representatives from the Electrical Board, IABO and IAPMO. Time was spent hearing what the concerns and desires are for state-wide inspections. As a result of the meeting we have a tentative framework set for a report. Cindy and Ken will be getting together to establish a set of questions and issues we would like to collect data on. That will be directed to committee members and begin collecting that information and data and forming a report. The plan is that we would meet every six to eight weeks. The goal is to have the report pretty well wrapped up by November to share with legislators for consideration of legislative action in 2011.

Question: Have there been discussions with the electrical inspections about on their requirements for an inspector?

There are representatives from the electrical board on the committee. They have provided input on their criteria for an inspector.

Question: Are you looking toward what legislature will use?

Our goal is to work with the IDPH legislative liaison to work with legislators in drafting language that meets the needs of the board as outlined in the report.

Legislation Update Ken Sharp

Geothermal A meeting has been scheduled for April 30th, 1-4 p.m. in the Altoona Public Library with representatives of the geothermal community to reach agreement and draft some rules for Chapter 29. Mick Gage and Tom Day will be attending from the board, with Chuck Thomas as an alternate.

House File 2531 (standings bill) Language was presented that through Sept. 30th to allow individuals who are desiring to obtain a master level license to sit for an exam if they can demonstrate to the board that they have 48 months of work experience at the master level. This is addressing the issue where we had a number of individuals who missed the grandfathering provision. They have come to us stating they have worked in rural Iowa for 5-10-15 years or more in a part of the state that did not require licensing. Our current statute and rules require that individual to have held a license previously in order to sit for the master level exam. This temporary provision in Iowa code through September 30th

Plumbing and Mechanical Systems Board Meeting
Tuesday April 20, 2010, at 9:00 a.m.
Jesse Parker Building

Page 4 of 6

waives that "previous licensed" requirement and allows a person to present evidence that they have worked at the master level for at least 48 months in order to sit for the test. This does not allow them an exemption from taking the exam; and does guarantee them a license. This simply allows them to demonstrate that they have worked at the master level for at least 48 months as determined by the board to sit for the exam. Technically we do not have to do emergency rules because we can fall back on the statutory language which is in Iowa code. It would be clearer if acceptable evidence is defined in rules. These rules should be implemented by emergency action after to governor signs the bill. Having these requirements more clearly defined in rule will give the board some teeth and it will provide clarity to these individuals as to what type of evidence we find acceptable.

We would like to put some parameters around the 48 months of experience and what type of evidence the board will accept.

Question: There was someone who had written in that they were short on meeting 5 years of experience will they be notified?

IDPH will get the word out the best we can, we cannot guarantee that anyone who contacted us will be contacted. We have started collecting that information and documenting it, to allow us to contact them. Adopting by emergency allows more public exposure just by its nature.

The board agreed to the following parameters for defining the 48 months of experience:

Four years (48 months) experience within the last six years would allow that person to have exposure to the new codes.

- Evidence could be employer notarized statement and/or tax return.

Applicant would be allowed to sit for the exam as many times as allowed, but must pass November 15th.

How to provide evidence that they have not been previously licenses – Matt will address.

Cindy Houlson and Matt Oetker will put together a draft. An emergency meeting of the board may be called for adoption.

Staffing Update

Investigator II Initial review of applicants has been completed resulting in three qualified applicants. Interviews are scheduled for April 29th. New Investigator II should start the middle or later part of May.

Engineering position Internal IDPH approval for engineering position has been received, waiting on approval from DAS and DOM. Mike Magnant is scheduled to retire at the end of this year. Hiring process for this position will take two-three months.

Question: When will request for senior clerk be submitted?

Probably in November.

Election of Officers:

Chapter 27.3(3) "The board shall elect a chairperson, vice chairperson and secretary from its membership at the first meeting after April 30 of each year." At the May 18th board meeting this election will be held. Nominations include Jane Hagedorn for chair; Tom Day for vice chair; Charles Thomas will run for another term as secretary.

Auditing New Applications Dennis Molden

Dennis commented that all new applications going forward should be reviewed and verified. The new investigator could verify making certain that each applicant is qualified.

Plumbing and Mechanical Systems Board Meeting
Tuesday April 20, 2010, at 9:00 a.m.
Jesse Parker Building

Page 5 of 6

There are checks and balances with the on-line application. There are checks and balances before getting the different license types.

Verification of an HVAC tech requires that they have gone to a tech school or equivalent. Rule of Chapter 29, committee would be making recommendations to the board on definition of equivalent for these specialty licenses (similar to the med gas and equivalent determination).

The Apps & Fees Committee will discuss verification and documentation required. Concentrate on specialty licenses that do not have checks and balances in place. Other licensing boards do random auditing. There could be controls placed into licensing software.

Licensing Program Statistics - Cindy Houlson

Cindy reported:

A total of 15,478 licensees have received approval for 26,484 licenses.

Question: What was the busiest month?

June as some people was under the impression they had to have their license by the end of June. December was the last busy period with license applications coming in to meet the grandfathering provisions. We could review to get a truer picture of those that don't do CEUs and don't renew their license. There are individuals that applied for a journey, found out they could get a masters, therefore got a masters. There are others that will qualify for a specialty license that applied for license because specialty licenses were not available. January 2012 will give a better indication of what the static level may be in terms of renewals that will be the date by which all "grandfathered" licensees will have gone through a license renewal period.

Question: Has the expiration date of licensees been reviewed, perhaps look at making birthdates the expiration date?

Presently, we will stay with the assigned expiration date. There are some licensees that have two separate licenses with different expiration dates – we plan to delete one account, thus have one expiration date for those individuals. However, the discussion of altering the expiration date associated with birth month and year has been set aside.

Other Business

National Association of State Contractors Licensing Agencies - Chuck Thomas

After Chuck read the communication, it was decided it is a bit premature to submit a nomination, may reconsider at a later date when at least one complete licensing cycle is complete.

Brian Archer e-mail read by Chuck Thomas

Public Comments

Jeremy Estlund with Estlund Heating & Air Conditioning

I am one of the guys that did not get my license in time, I sent the application in late December (was post marked after January 1st), was lost in the mail. I hope that the exemption goes through fast enough that gives us time to prepare for the test. With only one person out of six passing the exam indicates I may have to take more than once.

Next meeting May 18, 2010 at Iowa Department of Public Safety Building (Conference Room 125)
215 East 7th Street, Des Moines, IA 50319

**Plumbing and Mechanical Systems Board Meeting
Tuesday April 20, 2010, at 9:00 a.m.
Jesse Parker Building**

Page 6 of 6

Adjournment

Motion: Ken made a motion to adjourn

Seconded: Chuck Thomas

Discussion: No further discussion was held.

Vote: All ayes

Motion: Carried